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September 7, 2004

VIA FACSIMILE and REGULAR MAIL

Clerk's Office
United States District Court
District of Massachusetts - Central Division
Harold D. Donohue Bldg. & Courthouse
595 Main Street
Worcester, MA 01608

RE: Losapio v. Metropolitan Life Insurance Co.
USDC Massachusetts
C.A. No. 04-40156 FDS

Dear Sir or Madam:

On behalf of MetLife and Lincoln National, we hereby request an expedited ruling on the Motion to Consolidate these matters into the Federal Court case.

On August 17, 2004, Metropolitan Life Insurance Co. ("MetLife") filed a Motion to Consolidate in the Federal Court to consolidate this matter with a case pending in the Massachusetts District Court, East Brookfield Division, Worcester County, Massachusetts entitled Losapio v. The Lincoln National Life Insurance Company, C.A. No. 0469CV0193. The Plaintiff and Plaintiff's counsel in both cases are identical.

Despite the pending Motion, Plaintiff's counsel has filed (in the state court action) a Motion to Compel Lincoln National's Responses. The hearing on this Motion is currently scheduled for September 10, 2004. Lincoln National has filed with the East Brookfield District Court an Expedited Motion to Stay the State Court Proceedings and has requested that the Court issue an Order staying discovery and motions until such time as the Federal Court has ruled on MetLife's Motion to Consolidate. A copy of the Expedited Motion to Stay is attached hereto.

Very truly yours,

James J. Ciapcia

Enclosure
Attachment
cc: John F. Keenan